IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 9573 of 2005

Between:

1 R.Chandrasekhar reddy S/o.Late Narayana Reddy
R/o.H.I.G.4, Phase.II, A.P.Housing Board Nandyal, Kurnool district.
2 Onteddu Lakshmi Narayana Reddy S/o.Late Veera reddy
R/o.M.I.G.120, Phase II, A.P.Housing Board,Nandyal, Kurnool district.
3 Gajjala Chinna Rami reddy, S/o.Late Chinna Thimma Reddy,
R/o.H.I.G.13, Phase.III, A.P. Housing Board Colony Nandyal , Kurnool District

..... PETITIONERS

AND

1 The Vice Chairman & Managing Director,
APHB, Gruhakalpa, Hyderabad.
2 The Executive Engineer (Housing)
APHB , Kurnool Region, Kurnool.
3 The Asst.Engineer (Housing)
APHB, Nandyal, Kurnool District.
4 The Competent Authority, A.P.Housing Board,
Kurnool division, Abbas Nagar, Kurnool.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to May be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents in passing order in case Nos.179/05,185/05 and 182/05, dt.28-2-2005 asking the petitioner to pay the entire amount along with penal interest and damages as illegal, arbitrary and Violative of Art.14,21 and 300-A of the Constitution of India and consequently direct the respondents to accept the remaining balance amount on one time payment without insisting for penal interest and register the house in favour of the petitioners and pass such other order or orders.

Counsel for the Petitioner : MR. P.VENGALA REDDY
Counsel for the Respondents : MR. D.RANGANATHA KUMAR

The Court at the stage of admission made the following :

THE HON'BLE MS. JUSTICE G.ROHINI

WRIT PETITION NO.9573 OF 2005

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ORDER :

Heard the learned Counsel for the petitioners as well as Sri D.Ranganath Kumar, the learned Standing Counsel appearing for the respondents.

Since an alternative remedy of Appeal is available against the impugned order dated 28-02-2005, the writ petition is disposed of granting leave and liberty to the petitioner to work out the remedy of Appeal. It is made clear that if any such appeal together with application for stay is preferred by the petitioners within a period of 10 days from today, the same shall be entertained and shall be disposed of according to law. Till the disposal of the application for stay in the Appeal, it is made clear that the impugned order dated 28-2-2005 shall not be given effect to.

The Writ Petition is accordingly disposed of. No costs.

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26th April, 2005.

Note:- CC by 28-4-2005.

(B/O)

gbs

To

1 The Vice Chairman & Managing Director,
APHB, Gruhakalpa, Hyderabad.
2 The Executive Engineer (Housing)
APHB , Kurnool Region, Kurnool.
3 The Asst.Engineer (Housing)
APHB, Nandyal, Kurnool District.
4 The Competent Authority, A.P.Housing Board,
Kurnool division, Abbas Nagar, Kurnool.

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